

Express Mail Label No. _____ Dated: _____

Docket No.: 06727/0203856-US0
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zeev Birger

Application No.: 10/563,853

Confirmation No.: 3813

Filed: March 1, 2006

Art Unit: N/A

For: HYDROPHOBIC COMPOSITES AND
PARTICULATES AND APPLICATIONS
THEREOF

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:
(Check one of the boxes A-D)

- ☐ A. within three months of the filing date of the above-identified national application of within three months of the entry into the national stage of the above identified national application
- ☒ B. before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination.
- ☐ C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

(check one of the boxes "i" and "ii" below:)

- ☐ i. Counsel states that, upon information and belief, each item of information listed herein was (check one of boxes (a) or (b))
- ☐ (a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- ☐ (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
- ☐ ii. A check for the fee set forth in 1. 17(p), presently believed to be \$180, is enclosed.
- ☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. Under 37 CFR 1.17(i) a check in the amount of \$180.00 is enclosed. Counsel certifies that, upon information and belief, each item of information listed herein was

(check one of the boxes "a" and "b" below:)

- ☐ (a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- ☐ (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate.)

- ☒ A. Pursuant to the Notice issued by the United States Patent and Trademark Office dated July 11, 2003 waiving the requirements of 37 C.F.R. § 1.98(a)(2)(i), a copy/copies of the United States Patent on PTO/SB08 is/are not being submitted.
- ☐ B. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.
- ☐ C. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:

<<INSERT SERIAL NO. & FILING DATE>>

Applicant identifies these documents by attaching hereto copies of the forms PTO-892, PTO-1449 and/or PTO/SB/08 from the files of the prior application(s) or a fresh PTO/SB/08 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

- ☐ 3. Cite No(s). _____ are not in the English language.
In accordance with 1.98(c), Applicant states:

- ☐ An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.
- ☐ The requirement for a concise explanation of the relevance of any foreign language document is satisfied by the attached search report; citation of the documents cited in the search report shall not be construed as an admission that they are or are considered to be, material to patentability of the subject matter claimed herein (See MPEP §609).
- ☐ A concise explanation of the relevance of document(s) _____ is set forth as follows: [Insert concise explanation of relevance]
- ☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.
- ☐ A concise explanation of document(s) _____ can be found on the attached sheet.
- ☐ 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 in the preamble to the final rules; 1135 OG 13 at 20).
- ☐ 5. Other information being provided for the examiner's consideration follows:

[A/An _____ Search Report, dated _____, which issued during the prosecution of _____ Application No. _____ which corresponds to the present application.]

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless other-wise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

CROSS REFERENCE UNDER 37 C.F.R. (1.78 TO RELATED APPLICATIONS)

Pursuant to 37 C.F.R. (1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

- (1) U.S. Provisional Application Serial No 60/486,419, filed 7/14/03.
- (2) U.S. Provisional Application Serial No 60/486,420, filed 7/14/03.

Receipt date: 10/03/2006

Application No.: 10/563,853

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Docket No.: 06727/0203856-US0

Early and favorable consideration is earnestly solicited.

The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: October 3, 2006

Respectfully submitted,

By 

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Attorneys/Agents For Applicant

Substitute for form 1449A/B/IPTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

Complete If Known

Application Number	10/563,853-Conf. #3813
Filing Date	March 1, 2006
First Named Inventor	Zeev Birger
Art Unit	N/A
Examiner Name	Not Yet Assigned
Attorney Docket Number	06727/0203856-US0

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.*	Document Number Number-Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/LK/	AA*	US-6,822,020-A1	11-23-2004	Revis	
	AB*	US-6,939,922-A1	09-06-2005	Beckley et al.	
	AC*	US-6,919,388-A1	07-19-2005	Nishikawa et al.	
	AD*	US-6,911,494-A1	06-28-2005	Yamashita et al.	
	AE*	US-6,881,440-A1	04-19-2005	Caroline et al.	
	AF*	US-6,767,580-A1	07-27-2004	Caroline et al.	
	AG*	US-6,761,765-A1	07-13-2004	Lu	
	AH*	US-6,710,107-A1	03-23-2004	Audibert et al.	
	AI*	US-6,689,854-A1	02-10-2004	Fan et al.	
	AJ*	US-6,139,622	10-31-2000	Gobel et al.	
	AK*	US-5,853,886	12-29-1998	Pinnavaia et al.	
	AL*	US-5,286,293	02-15-1994	Li et al.	
	AM*	US-5,183,710	02-02-1993	Gerbino	
	AN*	US-5,180,638	01-19-1993	Teekman et al.	
	AO*	US-5,580,657	12-03-1996	Schleifstein et al.	
	AP*	US-6,939,402-A1	09-06-2005	Choi et al.	
	AQ*	US-6,893,985-A1	05-17-2005	Goodner	
	AR*	US-6,727,315-A1	04-27-2004	Yamamoto et al.	
	AS*	US-6,545,083	04-08-2003	Hirata et al.	
	AT*	US-6,344,240	02-05-2002	Menon et al.	
	AU*	US-6,262,171	07-17-2001	Mayer et al.	
	AV*	US-5,747,561	05-05-1998	Smirnov et al.	
	AW*	US-6,881,481-A1	04-19-2005	Hasegawa et al.	
	AX*	US-6,685,966	02-03-2004	Dominique et al.	
	AY*	US-6,537,865-A1	03-25-2003	O'Connor et al.	
	AZ*	US-6,383,386	05-07-2002	Hying et al.	
	AA1*	US-6,017,595	01-25-2000	Brenot et al.	
	AB1*	US-5,486,420	01-23-1996	Nishihara et al.	
	AC1*	US-5,326,573	07-05-1994	Antfang et al.	
	AD1*	US-6,764,745	07-20-2004	Karasawa et al.	
	AE1*	US-6,811,854	11-02-2004	Sato et al.	
	AF1*	US-6,682,609-A1	01-27-2004	Van Rheenen	
	AG1*	US-6,866,709	03-15-2005	Holbek et al.	
	AH1*	US-6,548,264	04-15-2003	Tan et al.	
	AI1*	US-6,478,648	11-12-2002	Applewhite et al.	
	AJ1*	US-5,506,049	04-09-1996	Swet et al.	
/LK/	AK1*	US-5,057,151	10-15-1991	Schuster et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.*	Foreign Patent Document Country Code* Number* Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	¹

Examiner Signature	/Leszek Kilman/	Date Considered	03/27/2010
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Substitute for form 1449A/B/PTO			Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Application Number	10/563,853-Conf. #3813
			Filing Date	March 1, 2006
			First Named Inventor	Zeev Birger
			Art Unit	N/A
			Examiner Name	Not Yet Assigned
			Attorney Docket Number	06727/0203856-US0
Sheet	2	of	2	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with a single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. * Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
/LK/	CA	JP 2258250 Abstract Dialog(R)File 351:Derwent World Patent Index WPI Acc. No: 1990-358037/199048		
/LK/	CB	EP 378735 Abstract (Equivalent to US 5057151)		
/LK/	CC	EP 146591 Abstract (Equivalent to US 4474852, previously cited)		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.